

# **IMPLEMENTATION TEAM MEETING NOTES**

**January 6, 2000, 9:00 a.m.-4 p.m.**

## **NATIONAL MARINE FISHERIES SERVICE OFFICES PORTLAND, OREGON**

### **I. Greetings, Introductions and Review of the Agenda.**

The January 6, 2000 meeting of the Implementation Team, held at the National Marine Fisheries Service's offices in Portland, Oregon, was chaired by Brian Brown of NMFS and facilitated by Jacqueline Abel. The agenda for the January 6 meeting and a list of attendees are attached as Enclosures A and B.

The following is a distillation (not a verbatim transcript) of items discussed at the meeting, together with actions taken on those items. Please note that some enclosures referenced in the body of the text may be too lengthy to attach; all enclosures referenced are available upon request from NMFS's Kathy Ceballos at 503/230-5420 or via email at [kathy.ceballos@noaa.gov](mailto:kathy.ceballos@noaa.gov).

Brown and Abel welcomed everyone to the meeting, led a round of introductions and a review of the agenda.

### **II. Updates.**

**A. In-Season Management.** The Corps' Cindy Henriksen reported that the National Weather Service has released its early-bird water supply forecast, which shows an average water year around the basin in 2000. The January-July early-bird forecast for Grand Coulee is 103 percent of average; at Lower Granite, the April-July early-bird forecast is 18.8 MAF, 87 percent of average; the forecast at The Dalles for the January-July period is 104 MAF, 98 percent of average, Henriksen said.

What that means is that some of the flow objectives for the upcoming migration season may not be at their maximum level, Henriksen said; however, this forecast is based on snowpack data through December 31 only. Since then, snowpack has been building in the upper basins, and is up to 109-110 percent of average in some basins, Henriksen said. However, in the Upper Snake basin, snowpack is

still well below normal; the same is true in Montana. Henriksen noted that the January final water supply forecast, which will also be based on data through December 31, will be used as the first estimate for the 2000 spring and summer flow objectives.

Henriksen said the next TMT meeting will be held on January 12; the group is in the midst of its annual post-season review and planning process for the upcoming management season. That includes the development of the 2000 Water Management Plan, of course, Henriksen said; we have been discussing the possibility of changing the format of the Plan, to list goals and objectives first, followed by criteria to initiate actions.

The other thing we're looking at, which may have some ramifications for the IT, is the TMT Guidelines, Henriksen continued. One of the main changes we're considering is the possibility of changing the delivery schedule for SORs and moving the weekly TMT meeting to Thursday mornings, rather than Wednesday afternoons, she said. Because there is some overlap in the TMT and IT membership, this could have an impact on attendance at the monthly IT meeting; in addition, if there is a need for dispute resolution, it may be necessary for the IT to convene via conference call on Friday, rather than Thursday.

What concerns are driving this potential shift in the TMT timeline? Ron Boyce asked. As you're aware, Henriksen replied, the TMT has been discussing the possibility of closing a portion of its weekly meeting to protect economically sensitive information, to help meet some of BPA's economic needs. It has been suggested that this change in the TMT's weekly timeline might eliminate the need to close a portion of the weekly TMT meeting; we have been discussing this concept with that in mind, said Henriksen. The idea is that SORs would be due on Wednesday and would be kept confidential among the TMT membership until the time of the weekly meeting, instead of being posted on the Fish Passage Center homepage as soon as they are received.

If the IT was able to deal with unresolved operational issues on Friday, would that work for the Corps, Bonneville and Reclamation, in terms of their ability to schedule the agreed-upon operation? Brown asked. It works for the Corps, Henriksen replied; I can't speak for BPA or Reclamation. Dan Daley said that schedule would work for Bonneville, with the understanding that the TMT has been working together for a long time now, and probably won't need to elevate a large number of issues in 2000. Our schedulers can probably deal with a final decision, if they have adequate lead time, he said; that lead time would include the idea that new SORs would be kept in the hands of the salmon managers and the action agencies until the Thursday TMT meeting, and not released to the general public. If they don't have that lead time, said Daley, then the question becomes academic. The actual recommendations would still be made at TMT or, in some cases, at IT, Daley said, but it would help our marketers just to know the operational intentions of the salmon managers a day or two ahead of time. It would keep Bonneville from being placed in a forced-sell or forced-purchase situation; the net effect of those behind-the-eight-ball situations is an increase in the cost of the fish operations, said Daley.

After a few minutes of discussion, there was general agreement that the contemplated change in the weekly TMT timeline probably wouldn't pose a major obstacle to normal IT operations; there was no IT objection to the TMT setting whatever schedule they feel works best for them, and having the IT work around that schedule.

One other minor point with respect to the Guidelines, said Henriksen – we will probably be removing the reference in the Guidelines to the Executive Committee; unless there is another group we need to refer to above the IT for ultimate, policy-level dispute resolution, we will just refer to the IT in our dispute resolution section. I would be comfortable with that, said Brown.

Doesn't BPA pre-schedule its weekend operations on Thursday, and its Monday operations on Friday? Jim Ruff asked. How would it affect that pre-scheduling if some issues aren't resolved until Friday? We're still talking about that internally, Daley replied; we're not sure how that will work, but the implication is that we would need to pre-schedule based on the non-public SOR. If BPA guesses wrong on whatever decision is ultimately made at TMT, then we'll have to eat the cost, said Daley.

In response to a question, Jim Nielsen said that, even if the TMT moves its weekly meeting to Thursday morning, it is still FPAC's intent to finalize its weekly SORs by Tuesday afternoon. I would certainly encourage that, said Brown, although if this change in schedule provides an opportunity for fuller discussion and coordination among the state, tribal and federal salmon managers, I would encourage you to avail yourselves of that as well.

**B. Plan for Analyzing and Testing Hypotheses (PATH).** The PATH update was presented during Agenda Item VI, below.

**C. Integrated Scientific Advisory Board (ISAB).** NO ISAB report was presented at today's meeting.

**D. Water Quality Team (WQT).** EPA's Mary Lou Soscia said that, at the last WQT meeting, her agency provided a presentation on the now-completed EPA temperature model. EPA is now in the process of developing a more presentable final report on the model; Soscia asked anyone who is interested in receiving a copy of this report to contact her.

The next WQT meeting is scheduled for next Tuesday, Soscia said; one of the items we will be discussing is EPA's commitment to try to address water quality in the 2000 Biological Opinion. EPA has developed a description of a possible water quality plan for inclusion in the BiOp; we have gotten agreement from the other federal agencies that water quality will be addressed in the new BiOp, she said. EPA has been working with the Oregon, Washington and Idaho water quality agencies to bring clearer focus to that plan; my hope is to use the Water Quality Team as a collaborative forum for the sharing of ideas and information about what that plan will eventually include, Soscia explained. We will begin that discussion next week.

At next week's meeting, the WQT will also continue to discuss the 2000 Snake River temperature monitoring plan, as well as the dissolved gas plan for the upcoming season, Soscia continued. We have also had some preliminary discussions about developing a plan for 2000 Dworshak operations, she said. Perhaps we could get a presentation on the scope of the water quality plan at the next IT meeting, as well as the schedule for fleshing it out, said Brown. We can provide that, Soscia replied. It might also be a good idea to have a discussion at that meeting about how we might develop a coordinated plan for Dworshak operations, Boyce suggested.

**E. System Configuration Team (SCT).** SCT chair Bill Hevlin said he had two main items to report. First, he said, the ISAB is now engaged in the review of The Dalles survival studies, and the application of survival study methods at other individual projects. Their goal is to give the IT a response by early February, so that their guidance can be used in the development of the survival studies this spring. They may not give us the entire package at that time, Hevlin said, but they will give us enough to help refine our direction for this spring.

Second, said Hevlin, in response to a request from Bruce Lovelin at the last IT meeting, I have copies of a spreadsheet showing actual versus estimated FY'99 CRFM expenditures (attached as Enclosure C); the bottom line is that we spent about \$2 million less than the original estimate for the FY'99 program (\$77.77 million actual, versus \$79.560 estimated). Hevlin added that the SCT is now working on the FY'01 CRFM program, while at the same time addressing any issues referred to them by the Studies Review Work Group on the FY'00 program.

**F. Quantitative Analytical Report (QAR).** Hevlin said he hopes to have a presentation on the QAR's findings to date at the next IT meeting; in terms of current activities, he said, as you will recall, there are two QAR work groups – a Biological Requirements committee and an Analytical committee. The Biological Requirements committee has completed a draft report, which is now under review by the contributors. That process will be completed by the end of this month; the 30-45 minute presentation we hope to have at the February IT meeting will cover the specifics included in that document. In response to a question, Hevlin said he will distribute copies of the draft Biological Requirements report to the IT membership prior to the group's February meeting.

The Analytical committee is also making progress, but they needed to see the results of the Biological Requirements analysis before they can complete their report, Hevlin said. The run reconstructions and risk assessment are now complete; the group is now working to model the effects of the proposed long-term actions. A draft Analytical report will be available for contributor review later this month, Hevlin said, which means we could probably provide a presentation on that report at the March IT meeting.

Reclamation's Michael Newsom asked whether there are any plans to bring the QAR, CRI and EDT risk assessments together at some point, to explain how they relate, how their results compare and where they diverge. I agree that would be very useful, Hevlin replied. Actually, I think they addressed

that at the October CRI workshop, said Brown; I'll check to see when the next CRI workshop may be scheduled.

**G. Federal Caucus and Framework Hydro Developments.** No Framework update was presented at today's meeting.

### **III. Discussion of the Scope of the Regional Forum in Post-2000.**

Brown said NMFS has been reorganizing its hydro program staff; he noted that Jim Ruff is now the lead NMFS contact person on the consultation on the FCRPS. As we move through that process, said Brown, Jim will eventually take over my role as chair of the Implementation Team. Bill Hevlin and Paul Wagner will remain in their respective roles as SCT chair and TMT representative. With that in mind, said Brown, I have asked Jim to begin working with John Palensky on the question of what adjustments to the Regional Forum process may be appropriate for the post-2000 time-frame; he has some preliminary thoughts to share today.

The last time we had a substantive discussion on this topic was the September IT meeting, said Ruff; at that time, we addressed three main issues: Willamette operations, Clean Water Act issues, and Upper Snake operations.

**1. Willamette Operations.** It was agreed at the September meeting that, given the fact that the rain-driven hydrology of the Willamette system is totally different from the snowpack-driven hydrology of the Columbia system, and that operation of the Willamette system has no significant impact on FCRPS operations, Willamette operations will not be a part of the Regional Forum scope, but will only be brought to the IT's attention on a need-to-know basis, said Ruff. There is also an existing Federal-state coordination group which addresses and coordinates Willamette River operations, which is another reason this group doesn't need to get involved, he said.

**2. Clean Water Act Issues.** Ruff said that, at the September IT meeting, EPA encouraged the other IT members to be more inclusive in the Regional Forum – that they encourage the state fishery and water quality agencies to coordinate their efforts more meaningfully. Mary Lou Soscia raised a number of issues related to the Clean Water Act; the upshot of that discussion was that most IT members, including EPA, feel that water quality issues should continue to be a part of the Regional Forum, but that more coordination and outreach to the state water quality agencies and the tribes is needed, said Ruff. However, there was general agreement that no structural changes to the Regional Forum are needed at this time to effectively address water quality issues.

**3. Upper Snake.** As Jim Yost has told us in the past, said Ruff, operations above the Hells Canyon Complex are already being addressed through existing processes in Idaho. Idaho supports the current scope of the Regional Forum's involvement in Upper Snake issues, which includes regular updates to the Regional Forum on how the system is being operated, and on other significant water

management actions under consideration in the Upper Snake. The 427 KAF from the Upper Snake would still be managed by the TMT, said Ruff. On September 2, the IT decided not to expand the scope of the Regional Forum to include Upper Snake Basin water management issues, and that the current system of TMT management of the 427 KAF and regular briefings from Idaho on how Upper Snake issues may affect the water supply from that system, is working. The IT would also like to receive regular briefings on the status of the FERC relicensing process for the Idaho Power Company projects, Ruff added.

Reclamation's Michael Newsom noted that a potential conflict has arisen, in the course of the development of the bull trout Biological Opinion, between the delivery of the 427 KAF Upper Snake flow augmentation contribution and the need to maintain a minimum elevation pool at one of the Boise projects – just a heads-up that this will need to be resolved, Newsom said.

**4. Estuary Discussion.** Ruff said that, from what he has gathered in his review of the All-H paper, the conclusion is that the construction of the FCRPS has definitely changed the magnitude and timing of the historic flows that once entered the estuary. Specifically, he said, spring/summer flows have decreased, while fall and winter flows have increased; this has changed the characteristics of the estuary somewhat. That's the main impact, in terms of a direct link to Regional Forum activities, said Ruff; the question is, should the scope of the Regional Forum be broadened to include the estuary?

Ruff added that there are a number of research projects underway under the auspices of the NMFS Science Center to look at habitat conditions in the estuary and near-ocean environments; we can wait until we see some of the results of those studies, he said, but if anyone else has a strong feeling about expanding the Regional Forum scope to include the estuary, I would be open to your suggestions.

After a few minutes of discussion, there was general agreement that a briefing from the researchers on any FCRPS operational measures which may impact or potentially impact survival in the estuary would be very helpful. The question, also, is what types of estuary issues should be included and excluded within the scope of the Regional Forum, said Brown; it sounds, from what I'm hearing, as though the "include" category would include water quality and research related to the effects of water management; the "exclude" category would include channel deepening, marine mammals, bird predation and shoreline development.

NMFS can certainly arrange a briefing on the water management effects research, said Brown. Litchfield said that, in his view, it might be better to defer such a briefing until the researchers have some actual results to share. However, it might be helpful to get a sense of what studies are being conducted, how they're being integrated and what their objectives are, Schaller said. Some sense of what NMFS feels are the critical uncertainties related to the estuary, and the timeline for filling in those data gaps, would also be useful, said Nielsen.

After a brief discussion, it was agreed that Brown and Ruff will talk to the Science Center researchers about providing a presentation at the February or March IT meeting, laying out an overview of the ongoing research and whatever results are available, and providing an opportunity for some IT discussion of the thrust of this research. In response to a question, Brown said it might also be helpful to ask Oregon and Washington to provide a briefing on the Bi-State Water Quality effort. I'll help coordinate that, said Ruff.

**5. Hanford Discussion.** Nielsen and Daley said that, at the September IT meeting, they were tasked to speak to the Mid-Columbia Coordinating Committee participants at one of the CRI workshops in Sandpoint. We did so, said Daley; my recollection of what came out of those discussions is similar to the outcome of our discussions on the Willamette – that the MCCC is already tasked to address and coordinate Mid-Columbia operational and mitigation issues, and that they probably do a more efficient job of that than the IT could if this group decided to get more directly involved. There is also a clear need for the IT to be kept informed about situations or operations of significance, such as Vernita Bar issues, Hanford Reach fish protection operations and conflicts with Bonneville operations to protect chinook and chum spawning, Daley said.

Ruff noted that there is a second group, coordinated by Grant County PUD, whose charge is to coordinate the Hanford Reach fish protection operation; that body includes both a technical advisory group, with representatives from the states, tribes, PUDs and federal agencies, and a policy group. The message I've gotten in my discussions with the Mid-Columbia PUDs is that they feel these coordinating committees are functioning well; however, as issues arise which may impact FCRPS operations, they are willing to bring updates and briefings to the Regional Forum, said Ruff. Boyce noted that; last year, the Hanford Reach coordinating group provided weekly updates on the fish protection operation to the TMT; that formal link has already been established, and worked well in 1999, he said.

The discussion turned to the potential conflict, and the need for full coordination, between Hanford Reach fish protection operations and operations to protect chum and chinook spawning below Bonneville. There were some IT concerns that briefings alone on the planned operation developed by the Hanford Reach fish protection committees may not be enough to ensure that full coordination, because of the potential conflicts that may occur. We could very easily find ourselves in a situation where we want to maintain 150 Kcfs outflow from Bonneville to protect the Ives Island spawners, but others want to cut that back to 135 Kcfs because we're only at an 84 percent chance of Grand Coulee refill, said Litchfield – who will make those decisions, and how?

Daley said that, in his opinion, most day-to-day operational and PUD coordination issues would be addressed through the Mid-Columbia Coordinating Committee. If issues arise regarding conflicts between stranding protection and Grand Coulee refill, they would most appropriately be dealt with through the IT, said Daley. However, there really isn't a need to air day-to-day operational issues at the IT, he said.

What I'm hearing, then, is that, in general, the existing Hanford Reach coordination processes are working well, said Abel; the IT needs to be kept informed about any issues which may impact FCRPS operations, and it's important for representatives from the Mid-Columbia PUDs to attend the IT's meetings. There are, however, some operational and planning issues in which the IT needs to be proactively involved, said Daley.

John Palensky said that, for future meetings, NMFS will review the discussion of the future role of the Regional Forum in the minutes from each IT meeting, and will provide a summary of the outcome of that discussion, so that everyone has a common understanding of what has been agreed to.

**6. Non-Hydro Hs.** Palensky said the non-hydro Hs – habitat, hatchery and harvest – are being addressed in the All-H paper; this paper represents NMFS' view that all of these Hs need to receive serious consideration in the recovery planning effort. We wanted to check to see whether there are issues associated with any of the non-hydro Hs that should be of interest to this forum, Palensky said.

After a few minutes of discussion, there was general agreement that the Regional Forum's scope does not need to be expanded to include the non-hydro Hs at this time; however, there was interest in receiving periodic briefings on harvest, hatchery and habitat issues with ramifications for the operation of the FCRPS. Palensky was asked to coordinate a briefing on harvest issues, including recent developments in the Pacific Salmon Treaty, as well as any habitat or hatchery issues that may arise in connection with the development of the 2000 Biological Opinion. Palensky noted that the only hatchery issue he can think of which the IT has discussed in recent years is the Dworshak Hatchery water supply.

On the habitat front, said Palensky, as most of you are aware, the Council has embarked on an aggressive sub-basin planning effort; one question that has arisen is whether the mainstem will be the subject of a separate plan, or whether pieces of the mainstem will be incorporated into other, individual sub-basin plans. At this point, the direction the Council appears to be heading is to put all of those things that are not really appropriate for a sub-basin plan into what they're calling the systemwide area, Palensky said. The question is, should there be a sub-basin plan for the mainstem, and should the IT seek some direct involvement in its development?

After a few minutes of discussion, it was agreed to defer further discussion of this issue until the February IT meeting, at which point the Council will have provided some additional definition as to the direction they're headed in the sub-basin planning effort. At that point, said Palensky, I think we can have a more informed discussion; between now and then, consider it food for thought.

**7. Flathead Basin Operations Plan.** Newsom said there are two projects included in the scope of this planning effort: Kerr and Hungry Horse. There are a number of issues connected with this effort, at least some of which will need to be addressed by the IT, he said.



Basically, Kerr and Hungry Horse were operated for power until the 1995 BiOp was released, Newsom said. At Hungry Horse, we now have what are called “fish curves,” the focus of which is anadromous fish and the operations called for in the BiOp. There are also some other issues at these projects, such as IRCs – essentially, resident fish curves – and VAR-Q.

What has really changed things in the Flathead Basin, however, is the relicensing process for Kerr Dam, which has imposed a minimum flow requirement on that project. In order to meet that minimum flow requirement, and keep Flathead Lake elevations at an acceptable level, you may have to operate Hungry Horse; there is also the requirement for a minimum flow at Columbia Falls, Newsom said. In addition, he said, we’re attempting to impose BiOp refill requirements, IRC refill requirements and VAR-Q refill requirements. Those draft and refill requirements are currently working against each other, he explained.

Newsom said Reclamation was asked to do a study, looking at some options the tribes and the State of Montana would like to consider at Kerr and Hungry Horse. Reclamation has now run those studies, and will be meeting with Montana and the tribes later in January. We need to give those entities a chance to look at how the system works, from their standpoint, Newsom said, but at some point, we also need to discuss the implications of the study for FCRPS operations here at IT. Ultimately, what is needed is a Hungry Horse operation that is acceptable to both upstream and downstream interests; this study offers an opportunity to bring everyone to the table, to work that out, said Newsom. He added that he hopes to coordinate a meeting to discuss that possible solution some time in late February. Perhaps you can work with John Palensky to bring a report on this item to a future IT agenda, suggested Brown.

**8. Interim Guidelines.** Palensky noted that, several years ago, the IT developed a set of interim guidelines; my perception is that we are getting along just fine without any changes to those, but there are some things that have changed, such as the addition of facilitation, the participation of EPA, and the switch from the Dissolved Gas Team to the Water Quality Team, he said. None of those items is referenced in the existing guidelines, said Palensky, and I just wanted to check in with the IT membership about whether or not the guidelines need to be revisited or updated. My sense is that it would be worthwhile to revisit the guidelines, mainly to refresh them, said Brown; that is a part of developing an attachment to the next Biological Opinion describing this process.

#### **IV. Re-Initiation on FCRPS (Biological Assessment).**

The Corps’ Dave Ponganis distributed Enclosure D, a handout showing the general scope of the Biological Assessment which, as he said, will lead into consultation and, hopefully, a new Biological Opinion this spring. The BA will cover all endangered species in the basin, and will focus on the 12 listed anadromous species in the Columbia Basin, as well as bull trout and Kootenai River white sturgeon, Ponganis said.

Ponganis spent a few minutes going through Enclosure D, touching on near-term operations, long-term operations and decision processes, adaptive management framework through performance measures, and conclusions. Ponganis said one of the goals of the BA is to introduce the concept of performance measures, and start engaging in that discussion – there are a lot of specifics that still need to be worked out, he said.

In response to a question, Ponganis said that, as the consultation process gets underway, the Corps will be seeking comments of its Biological Assessment; we will be meeting directly with various state and tribal co-managers, he said. Again, he said, the intent of this document is that it cover all species, not just anadromous fish. My assumption is that any comments on the draft BA will need to be submitted within the same time-frame as for the draft Lower Snake EIS, March 31, Ponganis said. Brown noted that NMFS' goal is to produce a draft Biological Opinion in March, although the discussion of the specific steps and schedules necessary to meet that goal is still ongoing.

So the intent is to have a Biological Opinion in place prior to the 2000 migration season? Boyce asked. I think it's unlikely that we will have a signed BiOp in place by then, Brown replied; however, it is my expectation that we will have a draft Opinion out prior to the onset of the migration season, and that, in the course of developing that draft, we would have agreement between at least the action agencies and NMFS that we are going to implement the provisions of the new Opinion during the coming migration season, pending final revisions.

In response to a question from Boyce, Ponganis said the Willamette projects are being addressed in a separate Biological Assessment/Biological Opinion process. What is the status of that consultation? Brown asked. My understanding is that we're trying to get the Willamette BA out in the same time-frame as the BA for the FCRPS, Ponganis replied; the draft should be available some time in February.

If you partition the Upper Willamette spring chinook and steelhead into a separate process, doesn't that run counter to the intent to develop a fully coordinated all-species, all-basin recovery plan in the FCRPS Biological Opinion? Boyce asked. Your concept would be that the two processes need to be combined? Ponganis asked. I'm just saying that what you're proposing, currently, is two separate tracks, Boyce replied.

We've talked about that, said Daley; at least internally at Bonneville, we do see measures addressed in the Biological Opinion that may well impact Willamette operations. The coordination will necessarily occur, just as it occurs in IT, when we start talking about Columbia River operations, the Mid-Columbia PUDs etc. For the sake of efficiency, in addressing the problems in the Willamette, it worked out better to separate that system out into its own BA/BO consultation, Daley said. The two documents may be separate, added Ponganis, but the processes will be fully coordinated.

In response to a question from Jim Litchfield, Ponganis agreed that the concept of performance measures is easy; fleshing out the details, however, is extremely difficult. We hope to work out those details in the course of our consultations with the states and tribes, he said. It's a spinoff of the discussions the TMT has been having about developing clear biological goals and objectives, to guide in-season decisions about how best to use the available storage water, Litchfield said. It isn't a simple undertaking, and it's difficult to see how it's all going to come together.

What we're trying to do is develop system and project survivals, which will be set as a goal, said Brown. You would then monitor to evaluate progress toward that goal. Where we're having trouble is in finding the right numbers to plug into that matrix, which can somehow be related, through the CRI process, to the long-term performance of the populations. How we emerge from this uncertainty with some sort of workable standard is unknown at this point, Brown said. If anyone has suggestions as to appropriate performance standards, we're all ears, added Daley. We would welcome the opportunity to have direct input into the development of those performance standards, said Boyce.

It sounds, then, as though, now that we have re-initiated consultation on the FCRPS, the two questions are first, what process should we use to involve the co-managers throughout the course of this consultation and, second, within that process, how should we focus on the question of performance measures? Brown said. Those are excellent questions; in listening to this, it sounds as though what we need to do is set up a series of meetings. How should we do that, asked Brown, to avoid agency overload, given the fact that there are numerous other ongoing processes, such as the All-H and EIS processes? How do you want to engage, given the fact that there are a lot of other, related processes going on?

Why can't you implement something with a shorter shelf-life, such as a one-year operations plan, which will make some progress toward the long-term goals while these other more complex consultations and discussions take place? Lovelin asked. With all the various processes that are currently ongoing, I'm just not sure it will be possible to accelerate everything to the point that it can be completed in time to meet the deadlines we've been discussing today. That has definitely been discussed, and those discussions are still ongoing, Daley replied. The only problem is that, in all likelihood, we'll be back here at this time next year, facing the same deadlines, observed Litchfield – we can't just keep hitting the snooze button.

Boyce said that, in his opinion, the only way to ensure full ownership of a plan that will control 2000 operations is to find a way to get full input from the co-managers. It's a big task, and we do have a lot on our plate at the moment, but we need to get on with it, he said.

Jim Yost said the Idaho Governor's office is expecting that NMFS and the action agencies will be calling to set up a consultation in Idaho that will include all of the agencies in Idaho, including IDFG. We want to discuss the federal documents that have been released and will be released, Yost said; in

addition, we have a set of documents that cover the Fours Hs in Idaho, which we are using as the basis from which to reply to all of those federal work products. We have established performance standards in Idaho, mileposts by which to determine success or improvement. I guess what I'm trying to say is that it isn't going to be a one-hour meeting, where we simply listen to what the federal agencies have to say, said Yost – we will need at least four hours to go through the information we plan to present to you. We're still waiting for that phone call, Yost said.

Daley replied that there will be at least four or five public meetings scheduled in Idaho; the Governor's office should have been contacted directly by now he said, but I will let our public involvement people know that that has not yet occurred, and needs to. Yost said the Idaho Governor would like to meet personally with Will Stelle; if there is going to be consultation, he said, we expect that to occur through the Governor's office and IDFG.

What I'm hearing is that Idaho would like three levels of consultation, said Brown – with the Governor's office, with the public, and a technical consultation with the state agencies in Idaho. Are you saying that you want that technical consultation to occur as a one-on-one between the federal government and Idaho, while, at the same time, we conduct one-on-one consultations with the other states, or would you prefer a multi-state/federal government process? Brown asked. I'm expecting the federal agencies to consult on a technical basis one-on-one with Idaho, Yost replied – we want to know what's happening with the Idaho components of the relevant documents, and we want the opportunity for our state agencies to present our information to you.

Is that something you and I can set up, or is it something that needs to be more formally scheduled? Brown asked. You and I can set it up, Yost replied – I understand the necessity of the public component, but Idaho also needs a more technical presentation by our state agency directors. Is there anything else the group needs to put together? Abel asked. Washington is also preparing its comments to the federal documents, replied Nielsen; that leaves the federal parties with question of how to do conduct similar process with the other states. There is also a proposal that the federal parties do a government-to-government consultation with the tribes on the table, said Daley; I'm not saying that all of this can't happen, but we need some help, from the states and tribes, to decide how all of this can happen within the available timeline. Daley said he will communicate these desires to the appropriate people in Bonneville's public involvement office; we will start conversations with the appropriate offices, he said. In response to a question, Yost said he is the point person to set up the Idaho meetings.

Does the IT need to do anything more with this issue today, or do the federal agencies feel that they have their marching orders? Abel asked. I think we've heard enough, Brown replied -- it sounds as though the ball is in NMFS' court, in terms of setting up these discussions and laying out an overall process. We're back in consultation, and let's line out how we're going to reach a March deadline.

Nielsen said Washington's preference would be to model these consultations on the process used for the 1998 supplemental steelhead Biological Opinion, rather than trying to set up individual consultations with all of the states. Daley observed that the process suggested by Yost, in which all of the state's agencies would present information and provide input in a coordinated single-day presentation, would be preferable from the federal standpoint. We have asked the governor's office how they want to approach that, said Nielsen; I have yet to receive a reply, so I'm just stating WDFW's preference. Brown asked Nielsen to communicate Washington's preference as soon as he knows what it is; once we've set up a consultation, I hope you'll make certain that any other Washington agencies that want to provide input into the BA/BO process are present at the discussion, said Brown. Nielsen added that he will continue to check with Gov. Locke's office to see how Washington's response to all of the federal documents will be coordinated.

Dick Nason observed that, while performance standards are near and dear to the hearts of many stakeholders, it simply isn't realistic to expect that they can be fully fleshed out between now and March, particularly given the number of processes currently competing for agency attention. How do the four states feel about the alternative Bruce Lovelin mentioned earlier – a shorter-duration “parking place” for the operational discussion, while these other processes are completed? Brown asked. Boyce replied that the 1995 and 1998 supplemental BiOps will be in force until they are superseded by the more comprehensive Biological Opinion now under development; if we can't get the 2000 BiOp signed and in-place by March, they will continue to be in force. If we get it done in time, we get it done in time; if we don't, we don't, said Boyce. Litchfield agreed; we all know what the fallback position is, he said, but we would be well-served to at least lay out a long-term framework that will be fleshed out further over time. It doesn't all have to be done in a single document by March 31, but I think it would be a mistake to slack off on the effort to produce a draft BiOp by March – if we miss that deadline, as Jim Yost said earlier, there's a good chance we'll find ourselves in exactly the same position at this time next year. I agree, said Nielsen – we need to proceed at least with the intent of producing a draft B.O. by March. It's a gargantuan task, and the odds are against us, but if we agree to a one-year delay at this point, chances are that will retard the entire process.

## **V. Draft Interim Biological Opinion.**

Lynne Krasnow of NMFS provided an overview of the 1999 Supplemental FCRPS Biological Opinion, noting first that this document is now available for co-manager review; she asked any agencies and tribes which have not received a copy to contact her directly. As most of you are aware, said Krasnow, six additional species – Upper Columbia spring chinook, Lower Columbia chinook, Mid-Columbia steelhead, Upper Willamette spring chinook and steelhead, and Columbia River chum – were listed last March; none of them were considered in either the 1995 or 1998 Supplemental BiOps. For that reason, another Biological Opinion was needed to address the biological requirements of these six newly-listed species for the rest of the interim period.

Essentially, what we have done in the 1999 Supplemental Biological Opinion is to go through the 1995 and 1998 Supplemental BiOps and list the measures in those documents that protect each of the ESUs during the interim period, until we have re-initiated consultation on the operation of the FCRPS, Krasnow explained. We then go on to make a determination about whether or not those measures are adequate to protect each of the listed species for the rest of the interim period. Krasnow stressed that NMFS is not doing any analysis in the 1999 Supplemental BiOp to determine whether these interim operations will be sufficient to ensure survival, with adequate recovery potential. What we're looking at, instead, is whether or not the current measures are adequate to protect these species for the rest of the interim period, Krasnow said; also, in the context of the long-term operation, we're looking at whether or not we have an adequate grasp of the critical uncertainties that would affect the way the system is operated to ensure that all 12 listed species survive, with adequate potential for recovery. It's the same process we followed in developing the 1998 Supplemental BiOp, she added.

Will NMFS be doing a formal jeopardy analysis for all of the listed species in the 2000 Biological Opinion? Boyce asked. Absolutely, Krasnow replied.

Krasnow continued on through her overview of the draft 1999 Supplemental Biological Opinion (Enclosure E), touching on some of the issues associated with each of the newly-listed species. For Upper Columbia River spring chinook, NMFS did not find the need for new interim measures, but reinforced the importance of developing the QAR to provide a tool with which to analyze the effects of any long-term FCRPS operations on the survival and recovery of this species, she said. For Mid-Columbia steelhead, again, we're not recommending any additional interim measures beyond those that are already included in the 1995 and 1998 Supplemental B.O.s, Krasnow said. However, we note that, at this point, we don't have a way to analyze the effects of a long-term operation on this species; the action agencies have therefore committed to develop and analyze time series of index population abundances and smolt-to-adult return rates for this population. There is a lot of data out there, said Krasnow, but it isn't yet gathered together in a form that lends itself to the kind of long-term analysis that is needed for this species.

For Upper Willamette chinook and steelhead, Krasnow continued, the 13 Corps projects in the Upper Willamette sub-basin are being addressed in a separate BA/BO process. There is some overlap with the FCRPS, of course, once these fish leave the Willamette and enter the Columbia River estuary at Willamette Falls. The main effect there will probably come out of our estuarine studies, Krasnow said; frankly, that's a bit of a black box at the moment, and we have not required the action agencies, at this time, to commit to any new measures for these ESUs in the interim period.

Lower Columbia chinook and Columbia River chum are somewhat more complex, because both species use the mainstem below Bonneville Dam for spawning, said Krasnow. The main effect on FCRPS operations has to do with flow fluctuations at Bonneville Dam, which can draw spawners up into higher elevations, then dewater their redds later, as outflow from the project drops. A secondary

impact of the FCRPS is the possibility that Bonneville pool may drown some spawning habitat in the lower end of tributaries, Krasnow said.

The interim operation laid out in the 1999 Supplemental BiOp includes a commitment to provide spawning flows at Ives Island that will reduce flow fluctuations at Bonneville during the incubation and rearing periods, said Krasnow; she noted, however, that tidal fluctuations in the estuary extend all the way up to the dam, and that, even if a minimum outflow of 125 Kcfs is maintained from that project, a low spring tide can mean that some redds might be dewatered. We have a commitment from the action agencies that they will use flow augmentation to fill in during those low tidal periods, as well as a commitment to reduce flow fluctuations at Bonneville from January through April, said Krasnow.

The problem with this operation is that, in as many as a third of the historic water years, we won't be able to do it all, Krasnow continued – it won't be possible to provide these incubation and rearing flows, and refill Grand Coulee to Upper Rule Curve by April 10. This is the first time we have been faced with a situation where providing protection for one listed ESU could potentially take away benefits from another, Krasnow said. Nielsen observed that, fortunately, for this year, at least, the water supply should be adequate enough so that this conflict does not occur. We hope to continue to be fortunate, said Krasnow, but the reality is that these measures for Lower Columbia chinook and Columbia River chum mean that project operators will be asked to provide flow augmentation for listed species almost year-'round; in approximately a third of the water years in the historical record, we don't have access to enough reservoir storage to do it all.

The 1999 BiOp also lays out NMFS' priorities for the remainder of the interim period, said Krasnow. They are, first, to ensure an 85 percent probability that Grand Coulee will reach its Upper Rule Curve elevation by April 10, as per the RPA; second, to protect the ability of parties to comply with the Vernita Bar agreement; third, to facilitate the full use of the Ives Island spawning habitat, as soon as, and to the greatest degree, possible.

In conclusion, said Krasnow, will these measures be enough, in the long term, to give all of these ESUs the opportunity for survival, with adequate potential for recovery? In other words, do we have our ducks in a row for the interim period, particularly for Lower Columbia chinook and Columbia River chum? Given the potential conflicts between the needs of all of the listed species in the basin, what are the critical uncertainties we need to find answers for if we are to make good choices? Krasnow asked. To that end, the 1999 Supplemental BiOp's proposed actions section also references the ongoing analysis of extinction risk, the CRI analysis; we have a commitment from the action agencies to supplement the current state-run spawner surveys, particularly with respect to chum spawning. We also need to know whether the Ives Island chum are an independent population, or whether they are strays from nearby tributaries, such as Hamilton and Hardy Creeks. That baffles me, said Howard Schaller – Columbia River chum are a single ESU, and given the tenuous situation in most

of those tributaries, even if these fish are strays, that shouldn't matter. Basically, we need a full range of information so that, in the face of potentially tough choices, we make the right one, Krasnow replied.

One other item our co-managers aren't very happy about is the fact that we did find one coded-wire tag from Spring Creek Hatchery in October, Krasnow said; we need to consider whether or not this flow augmentation program is really providing an opportunity for wild fish to spawn. Given that need, we will also be seeking additional genetic information about tules (fall chinook) that spawn in that area, said Krasnow.

Krasnow added that NMFS has extended the comment period on the draft supplemental 1999 BiOp until January 17; however, until the BiOp is signed, the action agencies don't have incidental take coverage. If an incidental take problem arises in the interim, NMFS will sign the current draft of the BiOp, and deal with any comments that have not yet been submitted during re-initiation.

## **VI. PATH Funding Update and Work Plan.**

PATH coordinator Dave Marmorek said the purpose of this agenda item is to provide an update on the current status of the PATH process. You will recall that the ISRP has recommended that PATH should be funded for a transition period, Marmorek said; after some discussions with the Council and others, a list of 13 tasks was ultimately identified for PATH to accomplish by the end of March 2000.

The Power Planning Council then approved funding for these "closeout" tasks, Marmorek continued; that funding is due to run out on March 31. He noted, however, that PATH's BPA contractors are funded using non-discretionary dollars; their contracts will continue past March 31.

The handout (Enclosure F) details the 13 closeout tasks, said Marmorek; ten of those are now substantially complete, but three – Task 1 (Experimental Management), Task 12 (Assess key differences between PATH and CRI) and Task 13.2 (Assess the feasibility of achieving the required survival improvements with other Hs) – will have to be truncated, in terms of the depth of the information we will be able to generate between now and the end of March. There simply won't be enough time to address those analyses in full detail within the available time-frame, Marmorek said.

The group devoted a few minutes' discussion to the PATH task list, including the possibility that it might be possible for PATH to make some progress on new tasks 14 and 15 by March 31. With respect to Task 14 (assess the effects of using updated run reconstruction; relate to previous PATH results), Schaller noted that this task should have been included within the scope of Task 2; there isn't much point in doing Task 2 unless you also did 14, he said.



Mike Field observed that the Council approved these 13 tasks based on NMFS' recommendation; if NMFS wants to expand that list, you will need to come back to the Council for approval of additional funding, Field said. I wouldn't feel comfortable with the idea that you would fund additional work out of the \$130,000 the Council approved for these 13 tasks, Field said. If you want to amend this list, he said, NMFS will probably need to make that request to the Council. Even if the additional tasks can be accomplished within the already-approved timeline and budget? Brown asked. What does your COTR say? Field asked. That would be a Bonneville call, said Brown, but my guess is, that is not going to be a problem.

Clearly, it is the Council's intent is to phase PATH out by March 31, said Daley. My guess is if PATH adjusts its workload to complete these tasks by March 31, that would probably be acceptable, under the existing contract, Daley said.

So as long as there is no contract problem, from Bonneville's perspective, and as long as the work NMFS laid out is being done and the all of this work is accomplished within the specified time-frame and budget, do you see a problem? Brown asked. Is this work NMFS wants to see done? Field asked. To be honest, I wasn't aware that we had a request that items be added to this task list, Brown replied; however, based on what I've heard today, it sounds as though there may be compelling reasons to do both Tasks 14 and 15. If we can fill in some additional holes between now and March 31, within-budget and within-schedule, that would be fine with me, said Brown.

Again, said Field, I would suggest that NMFS at least draft a letter to the Council, explaining these changes to PATH's task list. We can do that, Brown replied; he said he will discuss the task list with NMFS technical staff, then contact Bob Lohn of the Council staff to determine what further Council involvement, if any, is needed.

## **VII. Approval of Minutes from November 4 IT Meeting.**

The November minutes were approved after a brief discussion; Brown asked that any additional comments or changes be provided to Kathy Ceballos within a week.

## **VIII. Next IT Meeting Date and Agenda Items.**

The next meeting of the Implementation Team was set for Thursday, February 10, from 9 a.m. to 4 p.m. at NMFS' Portland offices. Meeting notes prepared by Jeff Kuechle, BPA contractor.